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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,444	11/20/2003	Gi Hyeong Do	9988.075.00-US	6634

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EXAMINER	
GRAVINI, STEPHEN MICHAEL	
ART UNIT	PAPER NUMBER
3749	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/716,444	DO, GI HYEONG
	Examiner	Art Unit
	Stephen Gravini	3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *26 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Chbat et al. (US 6,122,840). Chbat is considered to disclose the claimed dryer comprising:

a temperature sensor **42** for sensing an internal temperature of the laundry drier and outputting a sensed temperature signal indicative of the internal temperature; and

a microcomputer **46** for controlling a plurality of drivers for driving a heater, motor and exhaust fan according to the sensed temperature signal from said temperature sensor wherein said microcomputer controls the plurality of drivers **48** by comparing the sensed internal temperature with a predetermined temperature value.

Claims 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sung (US 5,245,764). Sung is considered to disclose the claimed method comprising:

performing a cooling procedure (please see column 6 lines 1-9);

sensing an internal temperature of the laundry drier during said cooling procedure performing step (please see column 6 lines 18-22);

comparing the sensed internal temperature with a predetermined temperature value (please see column 6 lines 37-51); and

stopping said cooling procedure performing step if the sensed temperature is lower than a predetermined temperature (please see column 6 lines 22-36) optionally

performing a drying procedure; and

sensing an internal temperature of the laundry drier during said drying procedure performing step (please see column 4 line 66).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 3-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chbat in view of Sung. Chbat is considered to disclose the claimed invention, as discussed above in the anticipatory rejection, except for the claimed predetermined temperature value, cooling procedure, stopped/driven step, internal temperature signal, and driven heater/motor/exhaust fan step. First, it would have been an obvious matter of design choice to claim the predetermined temperature value, since that value has not been shown to have any patentable advantage over the temperature values found in the prior art of record. Second, it considered that Sung discloses the claimed cooling procedure at column 6 line 6, stopped/driven step at column 7 line 17, internal temperature signal at column 7 line 37, and driven heater/motor/exhaust fan step at column 4 line 56. It would have been obvious to one skilled in the art to combine the teachings of Chbat, with the teachings of cooling procedure, stopped/driven step, internal temperature signal, and driven heater/motor/exhaust fan step, considered to be found in Sung for the purpose of allowing forced cool air circulation for drying clothes without the excessive heat that would cause damage to desired laundry cleanings.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sung. Sung is considered to disclose the claimed invention, as discussed above in the anticipatory rejection, except for the claimed predetermined temperature value. It would have been an obvious matter of design choice to claim the predetermined temperature value, since that value has not been shown to have any patentable advantage over the temperature values found in the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References N and O, cited in this action, are considered to be the most relevant foreign patent publications with respect to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 703 308 7570. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira S. Lazarus can be reached on 703 308 1935. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smg

July 13, 2004

Stephen M Gravini